

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America)

v.)

Angel Alberto ESQUIVEL) Case No.

)
)
)
)
)
)*Defendant(s)*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 27, 2023 in the county of Webb in the
Southern District of Texas, the defendant(s) violated:

*Code Section**Offense Description*

Title 18, United States Code, 922 (g)(3)

Possession of a Firearm by Habitual Drug User

Title 18, United States Code, 922 (o)

Shall be Unlawful for Any Person to Transfer or Possess a Machinegun.

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet.*Complainant's signature*

ATF Task Force Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: _____

City and state: Laredo, Texas*Judge's signature*

Dianna Song Quiroga, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

On July 27, 2023, the Laredo Police Department (LPD) Patrol Officer conducted a traffic stop at the 2700 block S. Arkansas St. Laredo, TX, after a white in color, 2017, Lincoln Continental, with TX Temporary Paper Plates, failed to signal as required distance before turning (intersection of S. New York St & San Luis St).

LPD Officer approached the vehicle and made contact with the driver (sole occupant) and detected an odor of burnt marijuana emitting from inside the vehicle. The driver, who was identified as Angel Alberto ESQUIVEL (hereinafter known as Angel) was asked to step out of the vehicle for officer's safety.

During the traffic stop, Angel advised the Officer that he had previously smoked a Marijuana cigarette. As the Officer conducted a search of the vehicle for controlled substance, Angel voluntarily stated that he had crack cocaine inside the center console.

Officer located 5 small baggies containing white, rocky type substance, believed to be crack cocaine in the middle console. A handgun was also found in the glove compartment. The handgun was described to be a Make: Glock, Model: 41, SN: XSC932, Caliber: .45, pistol. A loaded 24 capacity round Glock extended magazine (loaded with 15 rounds of .45 caliber ammunition) and one AR-15 PMAG Magazine (loaded with 20 rounds of 5.56 x 45mm caliber ammunition) was also found in the glove compartment. The firearm was reported stolen out of San Antonio, TX. Officer Cavazos then provided Angel with his Miranda Rights, which Angel stated he understood and waived his rights.

LPD Officer also located an AR-15 type rifle, with no visible markings inside the vehicle's trunk. The rifle appeared to be a Short Barrel Rifle (SBR) and it was later discovered to be equipped with an auto-sear, converting the firearm to be a full-auto machinegun.

In addition, officers located in the trunk area a bag containing 4 baggies with white, rocky type substance, believed to be crack cocaine (total weight of narcotics seized was approximately 1.3 grams). Angel was transported to LPD Headquarters for further investigation.

LPD then requested the assistance from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). ATF Task Force (TFO) Officer Gerardo Morales arrived at LPD and conducted an interview with Angel. During the interview, Angel admitted in purchasing the two firearms from a known individual. Angel stated that he purchased the firearms a day ago for approximately \$1500 for each firearm. Angel further stated that he purchased the firearm for self-protection.

Angel described the AR-15 type rifle as being a short barrel firearm and having knowledge that the firearm was equipped with an auto-sear. Angel stated he did not have a permit, license, or proper documentation to possess a SBR / machinegun. TFO Morales field tested the firearm in question, which appeared to function as an automatic machinegun.

Angel advised that the narcotics found by officers in his vehicle were for his personal use. Angel explained that he has been using crack cocaine since he was 17 years old and smokes Marijuana every night before going to bed. Agnel described spending approximately \$200 a week in purchasing crack cocaine. TFO Morales obtained Angel's Computerized Criminal History (CCH) which showed approximately seven prior arrests for possession of narcotics charges.

A preliminary examination of the Glock firearm determined that they were manufactured outside the state of Texas, therefore affecting interstate commerce.